



01-25-06

B. Smith

PATENTS
293/088

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants : Dennis W. Wahr et al.
Application No. : 09/870,813 ✓ Confirmation No. : 1270
Filed : June 1, 2001
For : CLOSURE DEVICES, RELATED DELIVERY
METHODS AND TOOLS, AND RELATED METHODS
OF USE
Group Art Unit : 3731
Examiner : Gary Jackson

Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

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Date of Deposit January 23, 2006

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Enclosed:


Isatta B. Smith

- Transmittal Letter for Information Disclosure Statement (in dupl.);
- Eighth Supplemental Information Disclosure Statement;
- PTO Form SB/08 (6 pages, in duplicate); and
- Copies of 51 foreign patent references.



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TRANSMITTAL LETTER FOR
INFORMATION DISCLOSURE STATEMENT

Sir:

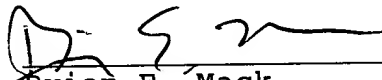
Transmitted herewith is an Information Disclosure
Statement in the above-identified patent application. This
Statement is submitted:

- ☐ within three months of the application filing date;
- ☒ more than three months from the application filing
date but before the mailing date of the first Office

Action on the merits after the filing of a request
for continued examination under § 1.114.

In accordance with 37 C.F.R. § 1.97(b)(4), submission
of this Statement requires no fee. However, if for any reason
a fee is due, the Director is hereby authorized to charge
payment of any fees required in connection with this
Information Disclosure Statement to Deposit Account No. 06-1075
(Order No. 000293-0088). A duplicate copy of this letter is
transmitted herewith.

Respectfully submitted,



Brian E. Mack

Registration No. 57,186

Agent for Applicants

Fish & Neave IP Group

ROPES & GRAY LLP

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New York, New York 10020

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New York, New York 10020

Commissioner for Patents
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Alexandria, Virginia 22313-1450

EIGHTH SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. §§ 1.56 and 1.97,
applicants wish to call the attention of the Examiner to the
following documents:

U.S. Patent Documents

3,221,746	12-07-1965	Noble
3,657,744	04-25-1972	Ersek
3,874,388	04-01-1975	King et al.
4,083,162	04-11-1978	Regan et al.
4,214,587	07-29-1980	Sakura, Jr.
4,368,736	01-18-1983	Kaster
4,485,816	12-04-1984	Krumme
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4,592,754	06-03-1986	Gupte et al.
4,617,932	10-21-1986	Kornberg
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4,733,665	03-29-1988	Palmaz
4,739,762	04-26-1988	Palmaz
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5,041,082	08-20-1991	Shiber
5,104,399	04-14-1992	Lazarus
5,122,156	06-16-1992	Granger et al.
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5,147,370	09-15-1992	McNamara et al.
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5,234,447	08-10-1993	Kaster et al.
5,275,622	01-04-1994	Lazarus et al.
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5,316,023	05-31-1994	Palmaz et al.
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Foreign Patent Documents

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WO 89/08433	09-21-1989	Lazarus Harrison M
DE 2822603	11-29-1979	Thierfelder Kay Dr
WO 93/00868	01-21-1993	Owen Earl Ronald
EP 539237	04-28-1993	Cook Inc
EP 541063	05-12-1993	Bard Inc C R

WO 93/13712	07-22-1993	Univ Minnesota
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WO 94/01056	01-20-1994	Boston Scient Corp
AU 670239	01-06-1994	Endovascular Tech Inc
GB 2269104	02-02-1994	Lazim Taha Roudan
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WO 99/38454	08-05-1999	Vascular Science Inc
WO 99/62408	12-09-1999	By Pass Ltd
WO 01/30268	05-03-2001	Atritech Inc

The above references are listed in the accompanying Form PTO/SB/08 (submitted in duplicate). Pursuant to 37 C.F.R. § 1.98(a)(2)(ii), copies of the above U.S. patent documents are not provided. Copies of the foreign patent documents are enclosed.

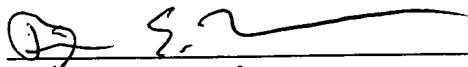
Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

It is respectfully requested that these documents be:

- (1) fully considered by the Patent and Trademark Office during the examination of this application; and (2) printed on any patent which may issue on this application. Applicants request that a copy of Form PTO/SB/08, as considered and initialed by the Examiner, be returned with the next communication.

Consideration of the foregoing in relation to this
patent application is respectfully requested.

Respectfully submitted,



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Fax: (212) 596-9090



EIGHTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if known	
				Application Number	09/870,813
Sheet 1 of 6				Filing Date	June 1, 2001
				First Named Inventor	Dennis W. Wahr
				Art Unit	3731
				Examiner Name	Gary Jackson
				Attorney Docket Number	293/088

U.S. PATENT DOCUMENTS					
Examiner initials*	Cite No. ¹	Document Number Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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		4,083,162	04-11-1978	Regan et al.	
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		4,485,816	12-04-1984	Krumme	
		4,503,569	03-12-1985	Dotter	
		4,592,754	06-03-1986	Gupte et al.	
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		4,665,906	05-19-1987	Jervis	
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		4,917,089	04-17-1990	Sideris	
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		5,122,156	06-16-1992	Granger et al.	
		5,135,467	08-04-1992	Citron	
		5,147,370	09-15-1992	McNamara et al.	
		5,171,259	12-15-1992	Inoue	
		5,207,695	05-04-1993	Trout, III	
		5,211,658	05-18-1993	Clouse	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered.
Include copy of this form with next communication to applicant.
1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.
This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO EIGHTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if known	
				Application Number	09/870,813
Sheet	2	of	6	Filing Date	June 1, 2001
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		5,211,683	05-18-1993	Maginot	
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		5,275,622	01-04-1994	Lazarus et al.	
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Substitute for form 1449A/PTO EIGHTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if known		
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Sheet		3	of	6	Filing Date	June 1, 2001
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Substitute for form 1449A/PTO EIGHTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if known		
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Sheet		4	of	6	Filing Date	June 1, 2001
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					Art Unit	3731
					Examiner Name	Gary Jackson
					Attorney Docket Number	293/088

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Examiner Signature		Date Considered	
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Substitute for form 1449A/PTO EIGHTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if known		
				Application Number	09/870,813	
Sheet		5	of	6	Filing Date	June 1, 2001
					First Named Inventor	Dennis W. Wahr
					Art Unit	3731
					Examiner Name	Gary Jackson
					Attorney Docket Number	293/088

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ² Number ² Kind Code ³ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁴
		GB 489316	07-25-1938	Davis & Geck Inc		
		WO 89/08433	09-21-1989	Lazarus Harrison M		
		DE 2822603	11-29-1979	Thierfelder Kay Dr		
		WO 93/00868	01-21-1993	Owen Earl Ronald		
		EP 539237	04-28-1993	Cook Inc		
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		WO 97/13471	04-17-1997	Transvascular Inc		

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		DE 19542733	07-24-1997	Mandlier Mathias		
		WO 97/27898	08-07-1997	Transvascular Inc		
		DE 29713335	10-16-1997	Quatchadze Georg Dr		
		WO 97/41779	11-13-1997	Cardiac Service HB		
		WO 98/01086	01-15-1998	Kruchinin Boris Petrovich		
		WO 98/02099	01-22-1998	Heartport Inc		
		WO 98/03118	01-29-1998	Solem Jan Otto		
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		WO 98/19631	05-00-1998	Vascular Science Inc		
		WO 98/26732	06-11-1998	Milo Simcha		
		WO 98/27868	07-02-1998	Gore Enterprise Holdings Inc		
		WO 98/38939	09-11-1998	Scimed Life System Inc		
		WO 98/38941	09-11-1998	Scimed Life System Inc		
		WO 98/38942	09-11-1998	Scimed Life System Inc		
		WO 98/42262	10-00-1998	Perclose Inc		
		WO 98/55027	12-10-1998	Vascular Science Inc		
		WO 99/07289	02-18-1999	Applied Biometrics		
		WO 99/38454	08-05-1999	Vascular Science Inc		
		WO 99/62408	12-09-1999	By Pass Ltd		
		WO 01/30268	05-03-2001	Atritech Inc		

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